

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 98-223-E - ORDER NO. 98-336

MAY 11, 1998

IN RE: Petition of SCANA Corporation for a Blanket) ORDER GRANTING
Waiver of the Language "less than five acres") ONE TIME WAIVER
in Commission Order No. 92-931 Concerning)
Notice Requirements for Sale of FERC)
Jurisdictional Fringeland Properties.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of SCANA Corporation (SCANA or the Company) for a blanket waiver of certain language on page twenty of our Order No. 92-931.

On November 13, 1992, we issued Order No. 92-931 approving recommendations and reporting requirements for South Carolina Electric & Gas Company (SCE&G) land sales. On page 20 of that Order in the first paragraph, this Commission referred to the sale of certain Lake Murray property ("fringeland") and the Order specifically refers to a five acre limitation.

According to SCANA, the sale of Lake Murray property lying within the Project Boundary Line is under the jurisdiction of the Federal Energy Regulatory Commission (FERC), and must be in compliance with Article 30(d) of the FERC Order Issuing New License for Project 516. Under Section (7)(I) of this article, the FERC allows the conveyance of fee title to project lands if "the amount of land conveyed for a particular use is five acres or less" and sets out the reporting provisions for said conveyances.

However, also according to SCANA, recently the FERC has indicated that it does not object to fringeland sales in excess of five acres as long as the 75-foot vegetative buffer zone is maintained, and SCE&G has recently obtained permission from FERC to sell 19.01 acres of project property adjacent to an individual tract to a single owner. The Company notes that it continues to restrict the sale of fringeland to the adjacent property owners and to comply with the reporting requirements set out in both orders.

The Company therefore requests a blanket waiver of the language “less than five acres” on page 20 of Order No. 92-931 on the first line whenever it gains FERC approval as to a large amount of acreage. According to SCANA, if this waiver is not allowed, it would restrict development for many adjacent property owners whenever the adjoining fringeland is in excess of five acres, limit potential land sales proceeds to SCE&G, and lower the potential property tax bases on the counties adjacent to the lake by inhibiting development.

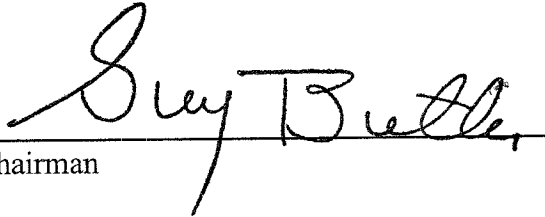
We have examined this entire matter and decline to give the blanket waiver as requested. We believe that each situation should be reviewed separately and decided on a case-by-case basis as to whether or not the waiver should be granted by us. However, we do grant the waiver of the language “less than five acres” regarding the Willow Ends Marina Project. We believe that SCANA has sufficiently demonstrated that the provision as discussed should be waived in this instance. In the future, though, we will examine each such case on a case-by-case basis, and make an appropriate determination at the time of the request for a waiver as to whether the waiver should be granted in that particular instance.

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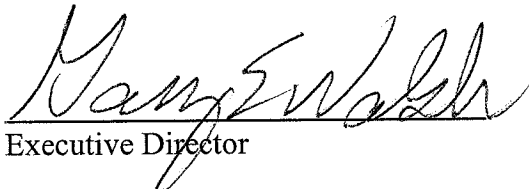
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This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director
(SEAL)